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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,) CASE NO. 3:15-CR-582-WHO
13 Plaintiff,)
14 v.) STIPULATION AND
15 ADAM SHAFI,) ORDER TO CONTINUE STATUS CONFERENCE
16 Defendant.) AND TO EXCLUDE TIME
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This case is currently set for a status conference on November 10, 2016. For the following reasons, the parties jointly and respectfully request that the Court move the status conference in this case from November 10, 2016, to January 26, 2017.

The parties agree that the defense requires additional time to review the discovery. For the classified discovery, the Classified Information Security Officer (“CISO”) recently notified the parties on or about October 24, 2016, that defense counsel’s security clearance has now been approved. Pursuant to Paragraphs 9 and 10 of the Protective Order Pertaining to Classified Information, entered by the Court in this case (Docket No. 85), the parties are working with the CISO so that the classified

1 discovery can be produced to and accessed by the defense in a designated secure area. For the discovery
2 that is not classified, the defense also requires additional time to review the voluminous discovery that
3 has been produced. In addition, defense counsel is scheduled to begin a jury trial in an unrelated matter
4 on November 7, 2016. Therefore, the parties in this above-captioned case agree that a continuance of
5 the status conference is needed to afford the defense adequate time to review the discovery (both
6 classified and not classified) before setting further dates, such as a briefing schedule for motions under
7 the Classified Information Procedures Act that governs the handling of classified information for
8 discovery, admissibility, and use in criminal cases.

9 The parties also jointly and respectfully request that the Court exclude time under the Speedy
10 Trial Act from November 10, 2016, through January 26, 2017, as the ends of justice from such an
11 exclusion outweigh the best interest of the public and the defendant in a speedy trial. The parties agree
12 that the nature of the prosecution (i.e., terrorism charge involving Foreign Intelligence Surveillance Act
13 information) makes the case complex such that it is unreasonable to expect adequate preparation for
14 pretrial proceedings or the trial itself within the time limits established in the Speedy Trial Act. 18
15 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(ii). Additionally, the parties agree that such an exclusion provides
16 counsel reasonable time for effective preparation, taking into account due diligence. 18 U.S.C.
17 § 3161(h)(7)(A) and (h)(7)(B)(iv).

18 IT IS SO STIPULATED.

19 DATED: November 3, 2016

/s/ Galia Amram
GALIA AMRAM
Assistant Federal Public Defender
Counsel for Defendant Adam Shafi

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22 DATED: November 3, 2016

BRIAN J. STRETCH
United States Attorney

/s/ Jeffrey Shih
JEFFREY SHIH
S. WAQAR HASIB
Assistant United States Attorneys

**ORDER TO CONTINUE STATUS CONFERENCE
AND TO EXCLUDE TIME**

Based on the stipulation of the parties and on good cause shown, the Court orders that:

(1) the status conference in this case, currently scheduled for November 10, 2016, is hereby moved to January 26, 2017; and

(2) time is hereby excluded under the Speedy Trial Act from November 10, 2016, which is the date of the currently scheduled status conference, through January 26, 2017, as the ends of justice from such an exclusion outweigh the best interest of the public and the defendant in a speedy trial. The Court makes this finding and bases this exclusion of time on the nature of the prosecution making the case complex such that it is unreasonable to expect adequate preparation for pretrial proceedings or the trial itself within the time limits established in the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(ii). Additionally, such an exclusion provides counsel reasonable time for effective preparation, taking into account due diligence. 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS SO ORDERED.

Dated: November 4, 2016


HONORABLE WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE

HONORABLE WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE